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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,682	11/04/2003	Takashi Serizawa	MAE 298	4908
23995	7590	08/25/2004	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			GRAINGER, QUANA MASHELL	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/699,682	SERIZAWA ET AL.	
	Examiner	Art Unit	
	Quana Grainger	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-13,17,20 is/are rejected.
- 7) ☒ Claim(s) 7,14-16,18 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed 11-4-2003 has been considered.

Drawings

3. The formal drawings are approved by the examiner.

Title

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5-6, 8-10, 12-13, 17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikegawa et al. (4,786,936). The image forming apparatus by Ikegawa et al. comprises an image bearing body; a developing member that causes developer to adhere to an electrostatic latent image formed on said image bearing body to form the electrostatic latent

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image into a visible image; a developer-supplying member spaced a predetermined distance from said developing member and supplying the developer to said developing member; and a voltage controller that applies a first voltage to said developing member and a second voltage to said developer-supplying member (Figure 1). The predetermined distance is in the range of 0.05 to 1.0 mm (column 7, line 3). The developing member and said developer-supplying member rotate in a same direction (Figure 1). The second voltage has an absolute value in the range of 330 to 600 volts (column 6, lines 64-65).

Ikegawa et al. teaches an image forming apparatus comprising an image bearing body; a developing member that causes developer to adhere to an electrostatic latent image formed on said image bearing body to form the electrostatic latent image into a visible image; a developer-supplying member spaced a predetermined distance from said developing member and supplying the developer to said developing member, said developer-supplying member having a surface with ridges and valleys formed therein (Figures 1-4). The developer-supplying member is made of an electrically conductive metal (column 3, line 36-39). The developer-supplying member is made of a mixture of a resin and an electrically conductive material. The image ridges and valleys extend in a direction parallel to a longitudinal axis of said developer-supplying member (Figures 2-4). The distance between the ridges and the valleys is in the range of 10 to 1000 μm and ridges are formed at a pitch in the range of 10 to 1500 μm (column 3, line 46-51). The image forming apparatus further comprising a controller that supplies a first voltage to said developing member and a second voltage to said developer-supplying member.

7. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Enoki et al (4,885,223). The image forming apparatus by Enoki et al. comprising an image bearing body;

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a developing member that causes developer to adhere to an electrostatic latent image formed on said image bearing body to form the electrostatic latent image into a visible image;

a developer-supplying member spaced a distance from said developing member and supplying the developer to said developing member; and a voltage controller that applies a voltage to said developing member and a second voltage to said developer-supplying member (Figure 1). The predetermined distance is in the range of 0.05 to 1.0 mm (column 6, lines 49-53). The

developing member and said developer-supplying member rotate in a same direction (Figure 1).

The absolute value of a difference between the first voltage and the second voltage is greater than 130 volts and lower than a voltage above which electrical discharge occurs across said developing member and said developer-supplying member and the second voltage has an absolute value in the range of 330 to 600 volts (column 6, lines 21-23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enoki et al. in view of Yasuda et al. (4,806,992). Enoki et al. does not teach a developer supplying member made of resin and an electrical conductive material. Yasuda et al. teaches a developer-supplying member made of resin and an electrical conductive material (column 3, lines 58-64; column 4, line 66-column 5, line9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Yasuda et al. with the developing device of Enoki et al. to effectively charge the toner for a clear image (Yasuda et al., column 1, lines 64-66).

Allowable Subject Matter

10. Claims 7, 14-16, and 18-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on weekdays between the hours of 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quana Grainger
Primary Examiner
Art Unit 2852

QG